

House File 319

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1 3 AN ACT
1 4 PERMITTING WRITTEN DEMAND VIA REGULAR MAIL PRIOR TO AN ACTION
1 5 UNDER THE UNIFORM COMMERCIAL CODE FOR RECOVERY OF CIVIL
1 6 DAMAGES FOR A DISHONORED CHECK, DRAFT, OR ORDER, WHEN
1 7 SUPPORTED BY AN AFFIDAVIT OF SERVICE.

1 8
1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 11 Section 1. Section 554.3513, subsection 1, paragraph b,
1 12 Code 2003, is amended to read as follows:

1 13 b. The written demand notified the defendant that treble
1 14 damages would be sought if the face value of the dishonored
1 15 check was not paid within thirty days of receipt, and was
1 16 received by the defendant ~~through personal~~ via any of the
1 17 following methods:

1 18 (1) Personal service or restricted.

1 19 (2) Restricted certified mail.

1 20 (3) Regular mail to at least one of the following
1 21 addresses, supported by an affidavit of service retained by
1 22 the payee or holder of the dishonored check, which affidavit
1 23 shall be presumptive evidence of the receipt of the demand by
1 24 the maker three days from the date of execution of the
1 25 affidavit:

1 26 (a) The address printed or written on the check.

1 27 (b) The address given by the drawer at the time of
1 28 issuance of the check.

1 29 (c) The last known address of the drawer.

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1 34 CHRISTOPHER C. RANTS
1 35 Speaker of the House

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2 5 MARY E. KRAMER
2 6 President of the Senate

2 7 I hereby certify that this bill originated in the House and
2 8 is known as House File 319, Eightieth General Assembly.

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2 11 _____
2 12 MARGARET THOMSON
2 13 Chief Clerk of the House

2 14 Approved _____, 2003

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2 17 _____
2 18 THOMAS J. VILSACK
Governor